

1-1 By: Gooden (Senate Sponsor - Hall) H.B. No. 2825  
 1-2 (In the Senate - Received from the House April 24, 2017;  
 1-3 May 4, 2017, read first time and referred to Committee on  
 1-4 Agriculture, Water & Rural Affairs; May 19, 2017, reported  
 1-5 adversely, with favorable Committee Substitute by the following  
 1-6 vote: Yeas 5, Nays 0; May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14			X	
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 2825 By: Rodríguez

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the dissolution of a levee improvement district by a  
 1-20 commissioners court.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter I, Chapter 57, Water Code, is amended  
 1-23 by adding Section 57.3295 to read as follows:

1-24 Sec. 57.3295. DISSOLUTION OF DISTRICT BY COMMISSIONERS  
 1-25 COURT WITHOUT PETITION. (a) The commissioners court of a county  
 1-26 that contains a portion of the Trinity River may dissolve a district  
 1-27 at any time if the court finds the following:

1-28 (1) the district has been dormant for more than five  
 1-29 years;

1-30 (2) the physical boundaries of the district cannot be  
 1-31 determined;

1-32 (3) the board of directors of the district is not  
 1-33 active, or cannot be determined;

1-34 (4) property owners of the district cannot be  
 1-35 determined; or

1-36 (5) a levee partially or completely inside the  
 1-37 boundaries of the district has received a rating of unacceptable  
 1-38 from the United States Army Corps of Engineers and the district has  
 1-39 not undertaken, attempted to undertake, or made plans to undertake  
 1-40 reasonable efforts to address the concerns of the United States  
 1-41 Army Corps of Engineers.

1-42 (b) The commissioners court shall hold a public hearing  
 1-43 before voting on a dissolution order. The hearing must be held not  
 1-44 later than the seventh day before the date the dissolution order is  
 1-45 subject to a vote by the commissioners court.

1-46 (c) Notice of the public hearing must be published in a  
 1-47 regularly circulated newspaper within the county not later than the  
 1-48 seventh day before the date the public hearing is scheduled to  
 1-49 occur.

1-50 (d) If the commissioners court votes to dissolve the  
 1-51 district, the commissioners court shall appoint the chairman of the  
 1-52 board or some other suitable person as trustee to close the affairs  
 1-53 of the district without delay, and shall determine the length of the  
 1-54 term and the amount of compensation for the trustee.

1-55 (e) A district may not be dissolved under this section if  
 1-56 the district:

1-57 (1) has any outstanding bonds or other indebtedness  
 1-58 until that indebtedness has been repaid or defeased in accordance  
 1-59 with the order or resolution authorizing the issuance of the bonds;  
 1-60 or

2-1 (2) has a contractual obligation to pay money until  
2-2 that obligation has been paid fully in accordance with the  
2-3 contract.

2-4 (f) This section applies only to a commissioners court of a  
2-5 county that:

2-6 (1) has a population of not less than 2.2 million and  
2-7 that is adjacent to a county with a population of not less than 1.8  
2-8 million;

2-9 (2) has a population of not more than 200,000 and that  
2-10 contains a portion of Joe Pool Lake;

2-11 (3) has a population of not less than 47,000 and that  
2-12 contains a portion of the Richland Chambers Reservoir; or

2-13 (4) has a population of not less than 100,000 and that  
2-14 contains a portion of the Cedar Creek Reservoir.

2-15 SECTION 2. The heading to Section 57.322, Water Code, is  
2-16 amended to read as follows:

2-17 Sec. 57.322. REQUIREMENTS FOR DISSOLVING A DISTRICT BY  
2-18 PETITION.

2-19 SECTION 3. This Act takes effect September 1, 2017.

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